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FM AMEMBASSY HARARE
TO SECSTATE WASHDC IMMEDIATE 0144
INFO AMEMBASSY ABUJA IMMEDIATE
SOUTHERN AFRICAN DEVELOPMENT COMMUNITY PRIORITY
NSC WASHDC PRIORITY
AMEMBASSY CANBERRA PRIORITY
AMEMBASSY OTTAWA PRIORITY
AMEMBASSY KINGSTON PRIORITY
AMEMBASSY NAIROBI PRIORITY

C O N F I D E N T I A L SECTION 01 OF 04 HARARE 003240

SIPDIS

DEPT FOR AF AND AF/S
NSC FOR SENIOR AFRICA DIRECTOR FRAZER
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SUBJECT: ABUJA II: COMMONWEALTH COMMITTEE MEETING
NEITHER BREAKS DOWN NOR BREAKS THROUGH

REF: ABUJA 2253

CLASSIFIED BY DCM REWHITEHEAD DUE TO 1.5 (B) AND (D).

1. (C) SUMMARY. THE OCTOBER 25 TO 27 VISIT BY REPRESENTATIVES OF SEVEN COMMONWEALTH (CW) COUNTRIES AND THE CW SECRETARY-GENERAL REVIEWED PROGRESS ON COMMITMENTS AGREED TO BY THE GOZ ON LAND REFORM, RULE OF LAW, AND ATTENDANT ISSUES AS OUTLINED IN THE ABUJA AGREEMENT OF SEPTEMBER 6 (REFTEL). OUR GLEANINGS FROM DIPLOMATIC CONTACTS, AND SPECIFICALLY HARARE BASED CW DIPLOMATS WHO WERE INVOLVED IN THE VISIT, REVEAL GENERAL SKEPTICISM AMONG THE CW DELEGATION THAT THE GOZ HAS HONORED ITS ABUJA COMMITMENTS. GOZ ATTEMPTS TO STAGE-MANAGE THE VISIT DID NOT SUCCEED, AND THE CW COMMITTEE HEARD THE VIEWS OF A BROAD RANGE OF ZIMBABWEANS. THE VISIT HAD SEVERAL CONTENTIOUS MOMENTS, THE WORST DURING DIFFICULT NEGOTIATIONS OVER THE FINAL COMMUNIQUE. THE COMPROMISE RESULTED IN A DOCUMENT THAT PLEASED NO ONE BUT ALLOWED BOTH SIDES TO CLAIM SOME DEGREE OF SUCCESS AND THUS KEEP THE ABUJA PROCESS ALIVE.

2. (C) POSITIVE OUTCOMES FOR THE CW INCLUDE CONTINUING THE DIALOGUE WITH THE GOZ AND VISIBLE ENGAGEMENT OF ITS OPPONENTS, RULE OF LAW ISSUES STILL ON THE AGENDA, AND AGREEMENT TO AN IMPENDING UNDP ASSESSMENT OF LAND REFORM AS A MEANS OF MONITORING ABUJA COMPLIANCE. FOR ITS PART, THE GOZ AVOIDED FURTHER ISOLATION FROM THE INTERNATIONAL COMMUNITY, RESISTED EFFORTS TO PIN IT DOWN
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ON POLITICAL/ELECTORAL ISSUES, AND MAINTAINED ITS DUBIOUS INTERPRETATION THAT THE GOZ OWNS LAND ONCE THE LAND IS LISTED AND THEREFORE IS OPERATING WITHIN THE RULE OF LAW. FROM THE U.S. PERSPECTIVE, THE THREE-DAY WALTZ AROUND ABUJA FELL SHORT IN A NUMBER OF AREAS, INCLUDING THE CRUCIAL ISSUE OF ELECTION OBSERVATION. WE RECOMMEND THAT THE DEPARTMENT FOLLOW UP WITH NIGERIAN PRESIDENT OBASANJO, THE GODFATHER OF THE ABUJA AGREEMENT, IN WASHINGTON THIS WEEK ABOUT OUR CONCERNS THAT ILLEGAL LAND INVASIONS, VIOLENCE AND HUMAN RIGHTS VIOLATIONS, AND A VIABLE ELECTORAL ENVIRONMENT HAVE NOT BEEN SUCCESSFULLY ADDRESSED. END SUMMARY.

INSIDERS' VIEWS OF ABUJA II

3. (C) CANADIAN DEPUTY HIGH COMMISSIONER RON WILLSON AND UK COUNTERPART DIANNE CORNER DEBRIEFED G-8 DEPUTIES OCTOBER 29 ON THE ABUJA II MEETING IN HARARE. THEY DESCRIBED A DISORGANIZED AND SOMETIMES CONTENTIOUS VISIT. WILLSON, WHO ADMITTED THAT CANADIAN DEPUTY MINISTER KILGOUR HAD TAKEN THE HARDEST LINE WITH GOZ, TERMED THE MEETING "NOT A RESOUNDING SUCCESS" WITH

"MINIMAL RESULTS," A CHARACTERIZATION THAT CORNER SECONDED. WILLSON SAID THAT THE VISIT ALMOST FOUNDERED IN ITS FINAL STAGES WHEN THERE WAS A NEAR BREAKDOWN ON THE NEGOTIATED COMMUNIQUE OVER SEVERAL ISSUES. AS A RESULT OF THIS THE CW DID NOT GET THE FOLLOWING:

-- A MENTION IN THE COMMUNIQUE OF ELECTIONS OBSERVERS,
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AGAINST WHICH THE GOZ SIDE ARGUED OVER THE ISSUE OF SOVEREIGNTY.

-- AN INVITATION FROM THE GOZ FOR CW ELECTION OBSERVERS, AS REQUIRED IN CW GUIDELINES. THE GOZ SIDE DECLINED A SUGGESTION THAT THE GOZ "ASK THE CW TO REQUEST THE GOZ TO PERMIT CW PARTICIPATION."

-- NO CW MONITORING MECHANISM WAS AGREED, LEAVING ABUJA FOLLOW UP AT THE CW MINISTERIAL LEVEL, WHERE THE GOZ APPEARS TO PREFER IT, ALTHOUGH A NOVEMBER 14 UNDP MISSION WAS AGREED TO "HELP THE GOZ TO FULLY COMPLY" WITH ABUJA.

14. (C) WILLSON NOTED THAT THERE IS POSSIBLE FUTURE MOVEMENT ON SOME OF THESE POINTS. LEGAL AFFAIRS MINISTER CHINAMASA HAD INFORMED THE CW DELEGATION THAT HE WOULD BE PRESENTING TO THE CABINET WITHIN THREE WEEKS A POLICY PAPER THAT WOULD DEFINE THE ROLES OF INTERNATIONAL ELECTION OBSERVERS AND DOMESTIC ELECTION MONITORS. HOWEVER, CHINAMASA WAS EVASIVE WHEN CW

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SECRETARY-GENERAL MACKINNON REQUESTED SPECIFIC DETAILS

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ON THE PRE-ELECTORAL TIME FRAME IN WHICH OBSERVERS/MONITORS COULD BEGIN THEIR WORK. (WILLSON ADDED IN AN ASIDE THAT THE NEW CANADIAN HIGH COMMISSIONER TO ABUJA HAD RAISED THE ISSUE OF CW OBSERVERS FOR ZIMBABWE WITH OBASANJO LAST WEEK DURING THE PRESENTATION OF CREDENTIALS. OBASANJO REPLIED THAT HE HAD RECENTLY SPOKEN TO MUGABE, WHO HAD TOLD HIM THAT HE DID NOT WANT INTERNATIONAL OBSERVERS BUT MIGHT CONSIDER A COMMONWEALTH OBSERVATION INITIATIVE.)

15. (C) CORNER NOTED THAT THE CW HAD ALSO PREVAILED ON SEVERAL POINTS. COINCIDENT WITH THE CW VISIT, THE GOZ HAD AGREED TO AN ASSESSMENT VISIT BY A UNDP TEAM THAT WOULD EXAMINE THE LAND REFORM SITUATION ON THE GROUND. IN A MEETING WITH THE CW DELEGATION, UNDP RESREP VICTOR ANGELO HAD AGREED THAT UNDP WOULD BE ABLE TO PROVIDE THE MONITORING MECHANISM FOR THE ABUJA AGREEMENT (IN LIEU OF A CW MECHANISM) THAT WOULD LOOK AT ALL ASPECTS OF THE AGREEMENT, NOT SIMPLY LAND REFORM. CORNER CAUTIONED THAT (TO THE BEST OF HER KNOWLEDGE) THE GOZ AND UNDP HAD

NOT YET MUTUALLY AGREED UPON TERMS OF REFERENCE FOR THE ASSESSMENT. (ANGELO INFORMED THE AMBASSADOR THAT THE ASSESSMENT TEAM WILL ARRIVE ON NOVEMBER 14.) CORNER ADDED THAT DESPITE INITIAL GOZ ATTEMPT TO PACK THE SCHEDULE WITH ITS SUPPORTERS, THE CW DELEGATION HAD ULTIMATELY MET WITH AND HEARD THE CONCERNS OF REPRESENTATIVES OF CIVIL SOCIETY, INDEPENDENT JOURNALISTS, AND OTHER NON-GOVERNMENTAL GROUPS.
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16. (U) IN ADDITION TO INITIAL MEETINGS WITH MUGABE, CABINET MEMBERS, AND THE PARLIAMENTARY COMMITTEE ON LAND REFORM, THE CW COMMITTEE RECEIVED REPORTS FROM THE FOLLOWING GROUPS AND ORGANIZATIONS.

-- COUNCIL OF CHIEFS
-- COMMERCIAL FARMERS UNION
ZIMBABWE JOINT RESETTLEMENT INITIATIVE
-- INDIGENOUS COMMERCIAL FARMERS UNION
-- UNDP
-- ZIMBABWE LIBERATION WAR VETERANS ASSOCIATION
-- MOVEMENT FOR DEMOCRATIC CHANGE
-- ZANU-PF
-- ZANU (NDONGA)
-- CHURCH LEADERS
-- NANGO (NATIONAL ASSOCIATION OF NGO'S), REPRESENTING AMANI TRUST, ZIMBABWE HUMAN RIGHTS FOUNDATION, AFFIRMATIVE ACTION GROUP, NATIONAL CONSTITUTIONAL ASSEMBLY, TRANSPARENCY INTERNATIONAL, CRISIS IN ZIMBABWE, INDIGENOUS BUSINESS DEVELOPMENT CENTER, NATIONAL DEVELOPMENT ASSOCIATION, ZIMBABWE TOBACCO MERCHANTS ASSOCIATION
-- STATE AND INDEPENDENT MEDIA REPRESENTATIVES
-- THE ELECTORAL SUPERVISORY COMMISSION
(GAPWUZ, THE UNION FOR COMMERCIAL FARM WORKERS, MISSED ITS MEETING WHEN THE SCHEDULE FELL HOURS BEHIND AND GAPWUZ REPRESENTATIVES WANDERED OFF.)

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ATMOSPHERICS

17. (C) CORNER AND WILLSON OBSERVED THAT THE GOVERNMENT SOUGHT TO MANIPULATE THE PROGRAM BY MONOPOLIZING THE GROUP'S TIME AND THROUGH PURPOSEFUL DISORGANIZATION OF THE ENTIRE EVENT. THE MFA DID NOT PRESENT THE CW EMBASSIES INVOLVED A PROPOSED SCHEDULE OF MEETINGS UNTIL WEDNESDAY EVENING, JUST BEFORE INITIAL CALLS ON GOZ OFFICIALS WERE TO BEGIN. ONLY FIVE OF THE MORE THAN A DOZEN NON-GOVERNMENTAL GROUPS REQUESTED BY THE CW FIGURED ON THE LIST, LEADING TO A FLURRY OF LAST-MINUTE NEGOTIATIONS AND CAPITULATION OF THE GOZ TO MEETING WITH CIVIL SOCIETY AND VISITS TO A CFU-CHOSEN FARM. IN THE INITIAL MEETINGS WITH GOZ OFFICIALS, FOREIGN MINISTER MUDENGE POINTEDLY ATTEMPTED TO LIMIT DISCUSSION TO LAND. NOT SURPRISINGLY, SEVERAL OF THE SESSIONS INVOLVING NON-GOVERNMENTAL GROUPS LED TO ACRIMONIOUS EXCHANGES WITH GOZ REPRESENTATIVES. CORNER SAID THAT FOREIGN MINISTER MUDENGE HAD SHOWN REMARKABLE COMPOSURE IN THE FACE OF SHARP CRITICISM OF ZANU-PF LEADERSHIP BY THE

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	SS-00	DSCC-00	DRL-02	NFAT-00	SAS-00	/003W	

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REPRESENTATIVES OF HUMAN RIGHTS AND DEMOCRACY GROUPS.

POTEMKIN FARMS DISMANTLED

18. (C) WILLSON DESCRIBED A SECOND GOZ COMPROMISE ON SITE VISITS TO FARMS OUTSIDE OF HARARE. THE INITIAL GOZ PLAN TO HELICOPTER ONLY THE HEADS OF VISITING DELEGATIONS TO FARMS OF THE GOZ'S CHOICE WAS ALTERED TO ALLOW A VISIT BY HEADS OF DELEGATION TO ONE FARM OF GOZ CHOICE AND A SECOND CHOSEN BY THE CW COMMITTEE ITSELF. WILLSON SAID THAT THE VISIT TO THE FIRST FARM IN MASVINGO WAS PROBABLY INTENDED BY THE GOZ TO SHOWCASE PEACEFUL CO-EXISTENCE BETWEEN COMMERCIAL FARMERS AND THOSE RESETTLED FROM COMMUNAL LANDS. THE FARMER IN QUESTION, DESCRIBED BY HIS NEIGHBORS AS A GENTLE INDIVIDUAL OVERWHELMED BY THE OCCUPATION AND DESTRUCTION OF HIS FARM, HAD REPORTEDLY BEEN WARNED IN ADVANCE BY THE GOZ TO TAKE A SOFT LINE. HE DID, BUT THEN ASKED TO YIELD THE FLOOR TO A NEIGHBOR CHOSEN AS SPOKESMAN BY THE LOCAL COMMERCIAL FARMER COMMUNITY. MUDENGE AND LANDS MINISTER MADE OBJECTED STRONGLY TO THIS, LEADING TO AN EXCHANGE WITH CANADIAN DEPUTY MINISTER KILGOUR AND PLACING NIGERIAN FOREIGN MINISTER LAMIDO, CHAIRMAN OF THE CW COMMITTEE, IN AN AWKWARD SPOT.

19. (C) IF POSSIBLE, WILLSON RELATED, THE SECOND FARM VISIT WAS EVEN WORSE FROM THE GOZ PERSPECTIVE. WHEN THE
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CW HEADS OF DELEGATION FINALLY HELICOPTERED IN, OTHER MEMBERS OF THE DELEGATIONS HAD ALREADY BEEN THERE FOR TWO HOURS. THEY HAD ALREADY TOURED THE BURNT-OUT HOUSES OF FARM WORKERS, VISITED THE VANDALIZED HOME OF A FARM FAMILY NOW LIVING IN HARARE, AND HEARD THE RESETTLED FARMER OCCUPIERS ADMIT THAT TWO OF THEIR NUMBERS REPORTEDLY KILLED DURING THE TAKEOVER HAD ACTUALLY PERISHED WHEN THEY ROLLED OVER A PURLOINED TRACTOR. UK JUNIOR MINISTER BARONESS AMOS SUMMED UP THE VISIT BY STATING THAT SHE FOUND IT STRANGE THAT 82 SETTLERS HAD DISPLACED 265 FARM WORKERS.

110. (C) WILLSON SAID THAT THE FARM VISITS HAD REVEALED THE STARTLING FACT THAT THE GOZ BELIEVES THAT FARMS GAZETTED UNDER SECTION 5 OF THE FAST TRACK RESETTLEMENT PLAN COME UNDER IMMEDIATE GOZ OWNERSHIP. IN RESPONSE, THE CANADIAN HIGH COMMISSIONER READ DIRECTLY FROM A GOZ POLICY DOCUMENT DESCRIBING THE LAND REFORM PLAN THAT STATES: "RESETTLEMENT CANNOT TAKE PLACE AFTER A SECTION 5 ORDER." MUDENGE AND MADE INSISTED THAT THIS LANGUAGE IS MINISTRY OF INFORMATION PHRASEOLOGY AND HAS NO LEGAL STANDING.

NO CW DIVISION, BUT A WEAK COMMUNIQUE

111. (C) CORNER DISCOUNTED PRESS REPORTS IN THE GOZ MEDIA THAT THE CW DELEGATION HAD SPLIT ALONG AFRICAN/NON-AFRICAN LINES. SHE OBSERVED THAT SOME OF THE GOZ-FRONT CIVIL SOCIETY GROUPS HAD MADE "LOOPY"
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STATEMENTS ABOUT REDRESSING HISTORICAL INEQUITIES THAT SEEMED TO STRIKE A RESONANT NOTE WITH THE AFRICAN DELEGATIONS. DESPITE THIS, NEGOTIATIONS OVER THE COMMUNIQUE HAD REVEALED A GENERALLY UNITED FRONT, WITH THE CW DELEGATES PUSHING THE ZIMBABWEANS ON ELECTION OBSERVATION, LAWFUL LAND REFORM AND SIMILAR POINTS. WILLSON OBSERVED THAT THE NIGERIANS, WHO HAD THE MOST FACE TO LOSE IF THE VISIT FAILED, HAD SUBMITTED AN INITIAL COMMUNIQUE THAT WAS TOO SOFT AND SEEMED TO RATCHET BACK REQUIRED GOZ ACTIONS AS AGREED TO AT THE ABUJA MEETING. HE POINTED OUT THAT THE FINAL COMMUNIQUE WAS SOMEWHAT STRONGER, BUT NOT TO THE POINT THAT THE GOZ HAD REFUSED TO ACCEPT THE TEXT. THE CANADIAN AND BRITISH HIGH COMMISSIONERS WERE SATISFIED THAT THE COMMUNIQUE HAD HIGHLIGHTED THE CRITICAL DIFFERENCES OVER WHAT IS RULE OF LAW WITH RESPECT TO LAND OCCUPATION ISSUES, ALTHOUGH NO RESOLUTION OF DIFFERENCES WAS REACHED.

12. (C) COMMENT. TO SOME DEGREES, ALL SIDES ARE
CLUTCHING AT STRAWS TO KEEP THE ABUJA PROCESS ALIVE. WE

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NEITHER BREAKS DOWN NOR BREAKS THROUGH

REMAIN CONCERNED, HOWEVER, THAT THE LAUDABLE DESIRE TO
KEEP THE PATIENT ALIVE SHOULD NOT OVERSHADOW THE FACT
THAT THE ABUJA AGREEMENT IS MEANINGLESS UNLESS IT CAN BE
IMPLEMENTED. GIVEN THE GOZ RECORD AT BACKTRACKING AND
STALLING, WE SEE NO EVIDENCE THAT THEY HAVE THE
POLITICAL WILL TO COOPERATE WITH THE UNDP'S EFFORT TO
MONITOR THE PROVISIONS OF THE AGREEMENT. AT THIS POINT,
OBASANJO IS CERTAINLY THE INDIVIDUAL WITH GREATEST
LEVERAGE OVER MUGABE AND THE GOZ. WE THUS RECOMMEND
THAT THE DEPARTMENT TAKE ADVANTAGE OF HIS VISIT TO
WASHINGTON THIS WEEK TO STRESS THAT THE PROBLEMS OF
UNLAWFUL LAND SEIZURE, CONTINUED LAND AND PRE-ELECTION
VIOLENCE, AND STONEWALLING ON INTERNATIONAL ELECTION
OBSERVERS MUST BE DEALT WITH CONCRETELY IF WE ARE TO
MITIGATE THE GROWING CRISIS IN ZIMBABWE.

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